

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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JOSE RAMIREZ,)
)
)
Petitioner,)
)
v.) Civil Action No. 03-40281-NMG
)
)
STEVEN J. O'BRIEN,)
)
)
Respondent.)
)

ASSENTED-TO MOTION FOR LEAVE TO FILE REPLY BRIEF

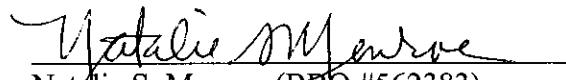
Pursuant to Local Rule 7.1(B)(3), the respondent respectfully seeks leave to file a reply brief in support of his motion to dismiss the petition for writ of habeas corpus filed by the petitioner, Jose Ramirez. The respondent's counsel feels that it is necessary to respond to certain arguments which were raised in the petitioner's opposition brief, and which the respondent could not have addressed in his affirmative brief. For example, in his opposition brief, the petitioner has moved for a stay of these proceedings. The reply brief is limited to the issues in the petitioner's opposition and does not raise new arguments. The proposed reply brief is submitted herewith.

Pursuant to **Rule 7.1(A)(2)**, the respondent's counsel conferred with the petitioner's counsel on April 22, 2004. The petitioner's counsel assented to the relief sought in this motion.

WHEREFORE, the respondent respectfully seeks leave to file the reply brief submitted herewith.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

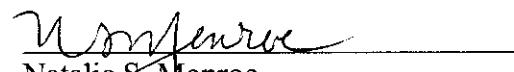


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Dated: May 5, 2004

Certificate of Service

I hereby certify that on May 5, 2004, I caused a copy of the above document to be served by first-class mail, postage prepaid, upon counsel for the petitioner, Alan D. Campbell, Esq., P.O. Box 131, Brookline, Massachusetts 02446.



Natalie S. Monroe